P.W (1941) Department.

Ms. SERIES.

G.O. No. 1160 - L

Dated 10 - 5 - 1941

[Despatch Abstract.]

LABOUR DEPARTMENT - Mangalore Mission Boys' Boarding Home - Building grant - Mortgage Deed - Returned after execution.

C.F. 32.

In reply, please quote number, date and short title.*

LABOUR DEPARTMENT.

Received ..... *Registered* .....

From (Name) V.RAMAKRISHNA ESQ., M.A., I.C.S.,

(Designation) COMMISSIONER OF LABOUR.

POST BOX 429, (STATION) Chepauk, Madras.

Telegraphic Address .....

A. 14 DEC 1940 6518

To

The Secretary to Government, Public Works Department, Fort St. George, Madras.

A-6 No. 2992/39, *dated* 11th Decr. 1940.

Sir,

*

Labour - Mangalore - Mission - Boys' Boarding Home - Building grant - Mortgage Deed - Draft submitted - G.O.No.Ms.665, Development, dated 19-3-40.

ENCLOSURES

Deed (7)

SPARE COPIES

Hefd at (H)

I submit herewith for the approval of the Government, a draft of mortgage deed received from the Collector of South Kanara in respect of the building grant sanctioned in the G.O. cited above. The draft was scrutinised by the Government Pleader, Mangalore.

2. As the title deeds. etc. in respect of the site purchased by the Mission were examined once before while executing the mortgage deed for the building grant of Rs.1,369/- sanctioned in G.O.No.593, Development, dated 8-3-38 after obtaining the ~~xxxxxxx~~ encumbrance certificates up to 13-4-39, the Collector states that it is not now necessary to examine the title deeds once again. As the encumbrance certificates were

P 26 (F)

ined only up to 13-4-39, it is necessary to obtain encumbrance certificates up to as near a date as possible and cause them to be examined before execution of the mortgage deed. I am informing him accordingly.

3. After the Government approve of the draft, the mortgage deed will be got executed on proper stamp paper by the Depressed Classes Mission, Mangalore and

and sent to the Government for execution.

I have the honour to be,

Sir,

Your most obedient servant,

for Commissioner of Labour.

KRA.12/12.

PA 12/12/40 13/12

SOUTH KANARA
COLLECTOR'S OFFICE.
3-DEC 1940

3-DEC 1940

COMMISSIONER OF LABOUR
20 JAN 1941
MADRAS

THIS INDENTURE ~~is~~ made the ~~Second~~ day of ~~December~~ One thousand nine hundred and forty-one BETWEEN THE HONORARY SECRETARY DEPRESSED CLASSES MISSION, MANGALORE, (hereinafter called the mortgagor) of the one part and HIS EXCELLENCY THE GOVERNOR OF MADRAS, which expression shall include his successors-in-offic (hereinafter called the ~~mortgagee~~ Governor) of the other part: WHEREAS the mortgagor is well and truly entitled to and possessed of the piece or parcel of land particularly described in the schedule hereunder written and has erected and built buildings and a bore well (~~and other buildings~~) thereon at an actual cost of Rupees Four thousand one hundred and eighty-seven, annas fifteen and pies eleven only AND WHEREAS the mortgagor has in accordance with the provisions of the Grant-in-aid Code of the Madras Educational Department now in force in the ~~Presidency~~ Province of Madras applied to the Government of Madras (hereinafter called the Govt) for a grant-in-aid of the sum of Rs1669-14-0 being part of the said sum of Rs4187-15-11 and has submitted to the Government (~~of Madras~~) the (~~vouchers and~~) certificates referred to in rules 53, 54 and 55 of the said Grant-in-aid Code as to the cost and completion of such buildings AND WHEREAS the Government (~~of Madras~~) ~~hath~~ have consented and agreed to make the said grant in the manner provided in Chapter VIII of the said Grant-in-aid Code upon the mortgagor entering into the covenants on his part and giving the security hereinafter contained NOW THIS INDENTURE

WITNESSETH that in pursuance of the said agreement and in consideration of the sum of Rupees One thousand six hundred and sixty-nine and annas fourteen only paid by the Government ~~(of Madras)~~ to the mortgagor the receipt whereof ~~as he~~ the mortgagor doth hereby acknowledge he the mortgagor doth hereby for himself, his ~~(legal representatives, assigns, and)~~ successors-in-office and assigns covenant with the Governor ~~(of Madras (his successors in office and assigns)~~ that he mortgagor or ~~(his legal representatives or assigns)~~ ~~or~~ his successors-in-office and assigns will from time to time and at all times so long as the said buildings shall be used for the purposes of the D.C.M.Court Hill Higher Elementary School and Dr Karnads Boarding Home and Orphanage, Mangalore, conduct and manage such institutions or cause such institutions to be conducted and managed by the person for the time being in charge of same in accordance with the rules and regulations for the time being in force in the Madras Educational Department and Labour Department AND will not prior to the lapse of forty years from the date hereof divert or allow to be diverted the ~~(said buildings)~~ to other than educational purposes approved by the Government ~~(of Madras)~~ and will during such period keep such buildings in good and substantial order and repair so that the same may be always efficient for use for the purposes of the said institutions and will in the event of the ~~(said buildings)~~ prior to the lapse of such period ceasing to be used for educational purposes approved by the ~~(said)~~ Government ~~(of Madras)~~ forthwith repay to the Government ~~(of Madras his~~

~~successors or assigns~~) a sum which shall bear a like proportion to the amount hereby advanced as the unexpired number of years of the period of 40 years limited herein bears to the total number of 40 years so limited PROVIDED ALWAYS that nothing herein contained shall be deemed to prevent the use by the mortgagor his (~~legal representatives or assigns or~~) successors-in-office or assigns or the person or persons for the time being in charge of the (~~said buildings~~) out of the hours during which the same should be used for the objects of such ~~school~~ institutions for such other reasonable and proper purposes other than educational as the mortgagor his (~~legal representatives or assigns or~~) successors-in-office or assigns or the person or persons for the time being in charge of the said buildings may direct AND THIS INDENTURE FURTHER WITNESSETH that in further pursuance of the said agreement and in consideration of the said sum of Rs 1669-14-0 paid (~~grant in aid so paid~~) as aforesaid the mortgagor doth hereby grant convey and assign unto the Governor (~~of Madras his successors and assigns~~) all that piece or parcel of land particularly described in the schedule hereunder written together with all and singular the buildings and erections now being or which may hereafter be thereon AND all rights easements and appurtenances whatsoever usually held or connected therewith or reputed to belong or be appurtenant thereto AND also all furniture fixtures fittings maps and other school apparatus school books and

chattels for the time being in and belonging to or used or to be used for the said ~~school~~ institutions and all the estate right title interest claim and demand of the mortgagor into and upon the said hereditaments and premises TO HAVE AND TO HOLD the said piece or parcel of land hereditaments chattels and effects and all other the premises expressed to be hereby assured unto the Governor ~~of Madras his successors in office and assigns~~ and according to the nature and tenor thereof respectively UPON TRUST to permit the same hereditaments and premises to be used by the mortgagor his ~~legal representatives or assigns or~~ successors-in-office or assigns or his or their nominee or nominees as a school for the Communities eligible for help by the Labour Dept ~~Schedule Classes~~ AND with power in case the mortgagor, his ~~legal representatives or assigns or~~ successors-in-office or assigns shall fail to pay on demand the sum then due and payable in manner hereinbefore provided to sell and absolutely dispose of the said hereditaments and premises and apply the proceeds of such sale after payment thereout of all costs and expenses attending the same in or towards recouping or reimbursing to the Govt ~~said Governor of Madras his successors or assigns~~ the said grant-in-aid or sum then due and payable hereunder as aforesaid and to pay the surplus if any to the mortgagor, his ~~legal representatives or~~ successors-in-office or assigns PROVIDED ALWAYS that the Governor ~~of Madras his successors or assigns~~ shall not exercise the said

power of sale unless and until he ~~(or they)~~ shall have caused to be served on the mortgagor his ~~(legal representatives or assigns or)~~ successors-in-office or assigns a notice in writing requiring payment of the sum then due and payable hereunder and default has been made in payment thereof for three months after such service. PROVIDED ALWAYS and it is hereby agreed and declared that the expiration of the said period of forty years hereinbefore referred to the ~~(said)~~ Governor ~~(of Madras or his successors or assigns as the case may be)~~ shall in the event of the covenants hereinbefore contained, on the part of the mortgagor his ~~(legal representatives or assigns, or)~~ successors-in-office or assigns having been in the meantime duly performed and observed re-convey and re-assign at his or their cost unto the mortgagor his ~~(legal representatives or assigns or)~~ successors-in-office or assigns as he or they may direct all and singular the piece or parcel of land, hereditaments chattels goods or other premises hereby expressed to be granted, conveyed or assigned.

IN WITNESS WHEREOF the said HONORARY SECRETARY DEPRESSED CLASSES MISSION, MANGALORE, and the ~~the~~ Secretary to the Government in the Public Works Department ~~(and)~~ acting on behalf of and by the order and direction of His Excellency, The Governor of Madras have hereunto set their respective hands and seals the day and year first above written.

Schedule to which the above written
Indenture refers.

--

All that piece or parcel of land situated at S.No.566 S.D.2 Kadri village in the District of South Kanara and Taluk of Mangalore and in the Sub-registration District of Mangalore and registration District of South Kanara bounded on the north side thereof by

Government poromboke - on the south side thereof by the road margin ... on the east side thereof by the road leading to Konchadi and on the west side thereof by the Golf Links and containing together in the whole by admeasurement five acres and sixty cents (be the same little more or less) and all which said piece or parcel of land was formerly in the occupation of Sowkar M. Venkatesh Pai, but is now in the occupation of The Depressed Classes Mission, Mangalore.

Signed, sealed and delivered by the abovenamed in the presence of

V. Pragani
Hon. Secretary.
Depressed Classes Mission

Signed, sealed and delivered by the abovenamed in the presence of

15 8

P.W.D

G.M. No 6518A/40-2 Dt 11-1-41

13/15/1

Labour - Mangalore Mission Boys Boarding Home - Building Grant - Draft mortgage deed -

Ref. Letter from the C. of L, A.6. No 2992/39 Dt 11-12-40.

Precedent: Page 99 of the G.O. at (P).

The draft mortgage deed submitted by the C of L with his letter read above is approved as amended and is appended to this Memo. The C of L is requested to get the draft deed as amended, executed on proper stamp paper by the D.C. Mission Mangalore and submit it to Govt for execution.

11-1-41. S.O. 11-1-41. 11/1

Executed 17.1.41

The C of L (with the draft mortgage deed - at flag (H))

E.R. on 11-2-41.
" sent on 11-2-41.

C.F. 32.

In reply, please quote number, date and short title.*

LABOUR DEPARTMENT.

Received *Registered* 5 MAR 1941

800 A

From (Name) V.RAMAKRISHNA ESQ., M.A.,

(Designation) COMMISSIONER OF LABOUR.

POST BOX 429, (STATION) Chepauk, Madras.

Telegraphic Addres

To

The Secretary to Government, Public Works Department, Fort St. George, Madras.

A-6 *No.* 2292/39, *dated* 3rd March 1941.

Sir,

LABOUR - Mangalore - Mission -Boys'Boarding Home Building grant.

Ref: Govt. Memo. No.6518-A/40-2, P.W., dated 11-1-41.

ENCLOSURES
Mortgage deed

I submit herewith the mortgage deed executed on proper stamp paper by the Depressed Classes Mission, Mangalore. The draft deed is also enclosed.

I have the honour to be,

Sir,

Your most obedient servant,

for Commissioner of Labour.

KRA.4/3.

C.F. 32 (a).

LABOUR Department

From (Name) V.RAMAKRISHNA ESQ., M.A., I.C.S.,

Designation COMMISSIONER OF LABOUR.

Station Chepauk, Madras.

Received Registered

ASST. SECRETARY PUBLIC A 5 MAY 1941 1356

19

To

The Secretary to Government,
Public Works Department,
Fort St. George, Madras.

Enclosures: Deed. 1 Usual

A-6 No. 2992/39 dated 3rd May 1941.

Sir,

Labour - Mangalore - Mission - Boys' Boarding Home - Building grant - Govt. U.O.Note No.6518-A/40-4, P.W., dated 22-3-41.

The mortgage deed is resubmitted herewith after getting it corrected and attested by the Honorary ~~Superintendent~~, Secretary, Depressed Classes Mission, Mangalore as indicated in the Govt. U.O. Note cited above.

I have the honour to be,
Sir,
Your most obedient servant,

for Commissioner of Labour.

KRA.3/5.

P. W. D.

Labour - Mangalore - Mission - Boys Boarding Home - Building grant - Mortgage Deed - Drafts

C. No 6518A/40 From the C & L, A.O. No 2992/39 Dt 11-12-40.

To U.S.

Please see the letter from the C & L in the cf and the drafts mortgage Deed at Mar (H). The Govt Pleader, Mangalore is said to have scrutinised it. ~~The draft is as have been indicated in pencil, adapting the form recently followed~~ Necessary alterations to the deed in accordance with the general prescribed in G.O. No ~~1800~~ 2257 Edn. Dt 26-11-40. ~~G.O. 27~~ ~~Necessary amendments to the deed . . . as proposed~~ The draft deed may be approved, as altered and returned to the C & L for getting it executed on stamp paper by the Mission. Finance & Legal may perhaps see the draft before it is finally approved.

17-12-40

17-12-40

Legal

Ag 15-7 Go. 2873 Dm (P) 25-11-39

Appendix P in B-A of (Y)

now added to cf - vide pp 3-14 cf

Ref precedent in G.O. 2873 Dm (P) 25-11-39

ASSISTANT SECRETARY TO GOVERNMENT
10 DEC 1940
FINANCE DEPT.

ASSISTANT SECRETARY
2 DEC 1940
P.W.D. LEGAL

6518A/40

47555

A52

2 20

2

Finance (Accts)

See

15/12/40

Legal

Fin no 47555 Acts

15/12/40

AS

8772

(H) Mp 3-14 ef

Legal Department.

Page 1 of the draft deed.

Line 1.-The word "is may be omitted.

Lines 2 and 3.-The words "second day of December One thousand nine hundred and forty" may be omitted and the date on which the deed is executed may be filled in instead.

Lines 6 and 7.-The words "which expression shall include his successors-in-office" may be placed after the ~~word "Governor"~~ expression "hereinafter called the Governor" in line 8.

Line 13.-The words "and other buildings" seem to be unnecessary and may be omitted.

Lines 26 and 27.-The words "Government of Madras hath" may be changed into "Government have".

Page 2.

Line 5.-The words "as he" may be changed into "the receipt whereof".

Lines 7 and 8.-It is inappropriate to refer to the legal representatives of the mortgagor in this case as the mortgagor is an institution. The words "legal representatives" wherever they occur with reference to the mortgagor may be omitted.

The words "assigns and successors-in-office" may be "successors-in-office and assigns".

Line 9.-The words "his successors-in-office and assigns" which refer to the Governor are unnecessary and may be omitted in view of the definitio

of "Governor" in the first paragraph of the preamble.

Line 10.-The words "or his legal representatives or assigns or successors-in-office" may be "his successors-in-office or assigns"

Lines 23 and 29.-The words "said buildings" may be "said piece or parcel of land or any part or portion thereof and the buildings and erections now being or which may hereafter be thereon".

Page 3.

Lines 7-8 and 14-15.-The words "legal representatives or assigns or successors-in-office" may be "successors-in-office or assigns".

Line 10.- The words "said buildings" may be "said piece or parcel of land or any part or portion thereof and the buildings and erections now being or which may hereafter be thereon".

Line 19.-The words "said grant in aid so paid" may be "said sum of Rs.1669-14-0 paid".

Lines 21 and 22.-The words "his successors and assigns" are unnecessary and may be omitted.

Page 4.

Line 2.-The word "school" may be "institutions" please see the wording in lines 16 and 28 at page 2.

Line 9.-The words "his successors-in-office and assigns" are unnecessary in view of the definition of the term "Governor" and may be omitted.

Lines 13-14 and 16-17.-The words "legal representatives or assigns or successors-in-office" may be "successors-in-office or assigns".

Lines 27 and 28.-The words "legal representatives

-4- 24

or" may be omitted.

Page 5.

(4)

Line 2.-After the word "have" the words "caused to be" may be inserted.

Lines 2-3, 14-16 and 18-19.-The words "legal representatives or assigns or successors-in-office" may be "successors-in-office or assigns".

Line 8.-The words "the expiration" may be "on the expiration".

Line 25.-Between the words "and" and "the" a space may be left for entering the name of the Secretary, P.W.D.

Line 27.-The word "and" occurring between the words "Department" and "acting" may be omitted.

I R 91
3.1.60

41.1.41 — Legal w. P 272.1
P.W.D.

A
6-JAN 1941
53

To U.S.

Please see the Legal Dept note at pages 2-4 above. The amendments suggested by them have been carried out in the draft mortgage deed. It may be returned to the C of L. A draft O.M. is submitted for approval

Send to C.D.B for info

11.1.41. 11.1.41.

P15 cf - Issued O.M. to C.S.L, No 6518A/40-2 Dt 11-1-41

P17 cf - From the C.S.L, A.6. No 2292/39 Dt 3-3-41

To U.S.

Put up at (T)

Write pp 18-19 (P)

The C.S.L has forwarded the mortgage deed executed on proper stamp paper by the Depressed Classes Mission, Bangalore. It may be sent to Legal for perusal before it is executed by the Secretary.

6/3/41 6.3.41

Legal

P.W.D. O.M. 6518A/40-3 7.3.41

AS2

Legal 1553 7/3/41

Legal Department.

Page 1 of the draft deed.- In lines 1 and 2 the words "Twenty Seventh day of February, One Thousand Nine Hundred and Forty One" should be omitted and instead the date on which the execution of the deed is completed (that is the date on which the Secretary, P.W.D. signs the deed) may be inserted.

In line 7 the bracket occurring after the word "Governor" may be omitted.

Page 4.- In line 12 the
changed into "bears".

Page 6.- In the second paragraph the word "CLASS" may be changed into "CLASSES" and the word "directions" may be changed into "direction".

26 -

Page 7.- The party of the first part and the witnesses to the signature have not signed in proper places. The portion marked A at page 7 should be as follows:--

"Signed, sealed and delivered by the abovenamed..... ..... in the presence of

1 (witness)

2 (witness)

Signed, sealed and delivered by the abovenamed..... .....in the presence of

1 (witness)

2 (witness)

1R91
19.3.41
S

19/3/41

Legal 1553-1/93 41

P.W.D.

N.S.

The mortgage deed may be returned to the C&L and he may be asked to have the deed corrected as suggested above by Legal Deptt and attested by the Hon. Secy to the D.C. Mission. A draft note is submitted for approval

22.3.41

SECRETARY TO GOVERNMENT
20 MAR 1941
976A
PUBLIC WORKS DEPT.

27 7

P.W.D.

U.O. Note No 65 18A/40-4 D/22/3/41

4/3 Sub: Labour Dept. Depressed Classes Mission Manchester - Boarding Home - Building grant Mortgage deed

Ref. Letter from the C of L, A.G. No 2292/39 D/3 3-41

Altflag (T) - The Mortgage deed submitted by the C of L with his letter head above, calls for the following remarks:-

Page 1 of the Deed. In lines 1 and 2 the words "Twenty-seventh day of February, One Thousand Nine Hundred and Forty One" should be omitted. The blank space will be filled up with the date and year on which the Secy, P.W.D. signs the deed.

In line 7, the bracket occurring after the word Governor may be omitted.

Page 4 of the Deed. In line 12, the word "being" should be changed into "bears.

Page 6 of the Deed. In the second paragraph, the word "Class" may be changed into "Classes" and the word "direction" into

OTS

Ex B

" direction."

Page 7 of the Deed. The party of the first part and the witnesses to the signature have not signed in proper places. The portion marked 'A' at page 7 of the deed should be as follows — (T)

" Signed, sealed and delivered by the abovenamed Hon. Secy. Depressed Classes Mission Mangalore, in the presence of

1. (witness)
2. (witness)

Hon. Secy, Depressed Classes Mission Mangalore.

Signed, sealed and delivered by the above named Secy to Govt in the Public Works Dept, in the presence of

1 (witness)
2 (witness)

Secy to Govt, Public Works Dept.

2 The Mortgage deed may be returned to the C of L and he may be requested to have it corrected as indicated above and attested by the Hon. Secy of the D.C. Mission Mangalore and return ~~the same~~ to Govt at an early date

Hd. [illegible] 25.3.41

To The C of L (with the Mortgage Deed)

Rem sent on 27/3/41.

27/3/41 22.3.41

WS

27 7

Sectt. II-16—20,006—23-10-39.

P. W. DEPARTMENT

COMMISSIONER OF LABOUR MADRAS
24 APR 1941
ASST. SECRETARY TO GOVERNMENT
28 APR 1941
1294
PUBLIC WORKS DEPT.

SUBMITTED that the Commissioner of Labour

~~Department~~ may be asked to expedite ~~their~~ his reply to the unofficial reference

of 7 enq

No. 6518 A/40-4 noted on the margin. ~~(regarding which reminders have already issued on)~~

Dated 22-3-1941.

Subject.

Labour Dept - D. C. Mission, Mangalore _____ 19 .

Boarding Home - Building grant _____ 19 .

Mortgage deed. _____ 19 .

Mk 22/4/41 S.O. 22.4.41.

To

The Commissioner of Labour ~~Department~~ u.o.

Resubmitted

~~I have not received back the~~

The mortgage deed ~~so far~~ was sent to the Collector, South Kanara to have the necessary correction made by the Honorary Secretary of the Depressed classes Mission, Mangalore ~~as indicated by Government~~. It has not been received back so far. I have reminded the Collector today

for Commissioner of Labour.

24.4.41.

To The Secretary to Govt P.W. Dept.

10

P.W.D.

To N.S.

Please see Commr's letter on p 9 ante

The C & L may be reminded on 15-5-41.

28/4/41. 28.4.41.

Letter from the C & L, A.6. no 2392/35 dt 3-5-41.

To N.S.

The C & L has resubmitted the mortgage deed after rectifying the defects pointed out in the note at pts 7-8 ante. A draft order is submitted for approval. After approval by N.S. the mortgage deed will be separately taken to Secretary for signature. The date on which the deed is executed by the Secy. will be entered in the preamble of the deed

6/

The date may be typed as 8-5-41 on p 1

Adopted

9/5

5/5

8/10-5

31

C.F. 16.

DRAFT FOR APPROVAL.

	Date.	Initials.
When received for fair copying ..		
When copied ..		
When examined..		
When signed ..		
When despatched.		

SUBJECT :— P. W. D.

Labour Dept - Mangalore - Mission - Boys' Boarding Home - Building grant - Mortgage deed - Returned after execution.

READ AGAIN ....., dated ..... 19.....

" " ..... " ..... 19.....

READ *ALSO* :—

C. No. 651RA/40 From the C. of L. A. G., No. 2992/35 dated 11-12-1940.

" ..... " ..... " ..... " ..... 19.....

" ..... " ..... " ..... " ..... 19.....

Order ~~Resolution~~ Ms. No. 1160 L. dated 10-5- 19 41

Precedent: G.O. 2873 Dev (P) 25-11-35

To

The C. of L. (with the mortgage deed) at flag (A)

Submitted 12-5-41

8-5-41

The mortgage deed is returned to the Commr of Labour, duly executed.

6-5-41. 6-5-41.

C.F. 32 (a)

Labour Department

From (Name) V. Ramakrishna Esq., M.A., I.C.S.,

Designation Commissioner of Labour.

Station Chepauk, Madras.

Received 28 JUN 1941 Registered 1750

To The Secretary to Government,

Public Works Department,

Fort St. George, Madras.

Enclosures :

No. A-6. 2992/39 dated 24th June 1941.

Sir,

Labour -- Mangalore -- Mission - Boys' Boarding Home -- Building grant -- Mortgage deed.

Refer:-- G.O.No. Ms. 1160-L, Public Works, dated 10-5-1941.

The Mortgage Deed has been registered and filed in my office.

I have the honour to be,
Sir,
Your most obedient servant,

for Commissioner of Labour.